



U.S. Department of Justice

Civil Division
Federal Programs Branch

*P.O. Box 883
Washington, D.C. 20044*

James J. Gilligan
Special Litigation Counsel

Telephone: (202) 514-3358
E-mail: james.gilligan@usdoj.gov

February 3, 2020

FILED BY ECF

Hon. Jesse M. Furman
United States District Judge
United States District Court for the
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, New York 10007

Re: *State of New York v. U.S. Dep't of Commerce*, No. 18-cv-2921 (JMF)

Dear Judge Furman:

Defendants respectfully submit this letter in accordance with the Court's instruction in its January 2, 2020, Memo Endorsement, ECF No. 682, directing the parties to meet and confer after each round of document production and advise the Court if they believe that the production schedule set out by the Court should be modified in any way. Defendants have completed the productions ordered for January 10 and January 24, 2020. There are approximately 940 potentially responsive documents remaining. The parties have met and conferred and have agreed that the remaining productions should be modified to permit Defendants to review and produce emails at the same time as their attachments. Based on the experience with the first two productions, Defendants believe this procedure will be more efficient and will not change the final production date. The modified schedule would be as follows:

- No later than February 7, 2020, Defendants shall review approximately 450 documents (including both emails and their attachments) and produce the responsive, nonprivileged material.
- No later than February 21, 2020, Defendants shall review all remaining documents and produce the responsive, nonprivileged material.

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Respectfully submitted,

JOSEPH H. HUNT

Assistant Attorney General

/s/ James J. Gilligan

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Telephone: (202) 514-3358

E-mail: james.gilligan@usdoj.gov

Counsel for Defendants

cc: All counsel of record (via ECF)